

### **Remarks**

The Office Action mailed January 28, 2008 has been carefully reviewed and the foregoing amendments have been made in consequence thereof.

Claims 2-6, 8-13, 39-45 47-57, and 59-65 are pending in this application. Claims 2-6, 8-13, 39-45 47-57, and 59-64 stand rejected. Claims 1, 7, 14-38, 46 and 58 have been canceled. Claim 65 has been newly added. No new matter has been added.

Initially, the Examiner has labeled each step of Claim 39 as (a)-(j). For convenience, Applicants follow this convention herein.

The rejection of Claims 39, 2-6, 8-13, 40-45, 47-51, 52-57, 59-63 and 64 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. Applicants respectfully submit that Claims 39, 2-6, 8-13, 40-45, 47-51, 52-57, 59-63 and 64 satisfy Section 112, second paragraph. More specifically, Applicants respectfully submit that Claims 39, 2-6, 8-13, 40-45, 47-51, 52-57, 59-63 and 64 are definite and particularly point out and distinctly claim the subject matter of the invention.

The Office Action asserts that in Claim 39, step (g), the phrase “displaying the customized template...” is not clear “whether the ‘customized template’ of step (g) is of (derived from) step (b) or (e) or (f)?” Applicants respectfully traverse this rejection. Applicants submit that the “customized template” of step (b) is the same “customized template” of step (e), step (f) and step (g). Applicants submit that Claim 39 is definite and particularly points out and distinctly claims the subject matter of the invention.

The Office Action further asserts that in Claim 39, “it is not clear whether the ‘hierarchy of entities’ in the last step refer to all entities of first user and second user or second user alone?” Applicants respectfully traverse this rejection. Applicants submit that the “hierarchy of entities” recited in Claim 39 is recited in steps (d) and (e) which provide “creating at least one hierarchy of entities within the business entity...” and “linking the customized template to the at least one hierarchy of entities within the business entity...” In other words, the hierarchy of business entities recited in the claims is not tied to the first user or the second user. Rather, the claims

recite “creating at least one hierarchy of entities within the business entity...” and “linking the customized template to the at least one hierarchy of entities within the business entity...” Accordingly, the hierarchy of entities are entities included within the business entity and are linked to the customized template. Therefore, Applicants submit that Claim 39 is definite and particularly points out and distinctly claims the subject matter of the invention.

The Office Action does not assert any specific rejections or objections under Section 112, second paragraph for any of Claims 2-6, 8-13, 40-45, 47-51, 52-57, 59-63 and 64.

Accordingly, for at least the reasons set forth above, Applicants respectfully request that the rejections of Claims 39, 2-6, 8-13, 40-45, 47-51, 52-57, 59-63 and 64 under 35 U.S.C. § 112, second paragraph, be withdrawn.

The rejection of Claims 39, 2-6, 8-13, 40-45, 47-51, 52-57, 59-63 and 64 under 35 U.S.C. § 103(a) as being unpatentable over Planalp et al. (U.S. Patent No. 6,862,585) (“Planalp”) is respectfully traversed.

Applicants respectfully submit that Planalp does not describe or suggest the claimed invention. As discussed below, at least one of the differences between the cited reference and the present invention is that Planalp does not describe or suggest a method (Claim 39), a network based system (Claim 40), an apparatus (Claim 52), or a computer program (Claim 64), for managing business metrics for a business entity, wherein the business entity has a plurality of business units, the method comprising the steps of “*creating at least one hierarchy of entities within the business entity including storing within the database a relationship between each of the business units included within the business entity; linking the customized template to the at least one hierarchy of entities* for restricting access to the customized template to only selected business units included within the business entity; and *linking the data fields included within the customized template to the at least one hierarchy of entities* for combining data for a plurality of selected business units included within the business entity”. (Emphasis added.)

Notably, the Office Action asserts that Figures 4A and 4B describe the creating at least one hierarchy of entities step. However, Figures 4A and 4B actually describe relationships among various technical requirements data used in managing product development. Specifically,

the technical requirements data may be grouped according to product material data, master packaging material data, individual packaging material data, material data, and organization data. The organization data includes brand information linked by a many-to-one relationship to a product brand which may belong to a brand category associated with a particular business unit and sector. Applicants submit that merely describing grouping technical data according to organizational data as shown in Planalp does not describe or teach “creating at least one hierarchy of entities within the business entity including storing within the database a relationship between each of the business units included within the business entity; linking the customized template to the at least one hierarchy of entities for restricting access to the customized template to only selected business units included within the business entity; and linking the data fields included within the customized template to the at least one hierarchy of entities for combining data for a plurality of selected business units included within the business entity”.

Moreover, Planalp does not describe or suggest generating a plurality of reports including *a first report showing business metrics for each business unit linked to the customized template including each business unit having entered data and the hierarchical relationship between each business unit, and a second report containing desired combinations of business metrics entered into linked data fields for each business unit linked to the customized template based on the hierarchy of entities.* (Emphasis added.)

Furthermore, Planalp does not describe or suggest the recitations of newly added dependent Claim 65.

Planalp describes a system, method, and computer readable storage medium for managing product development that includes a relational database containing draft, approved, and archived versions of product, package, materials, process, and artwork technical data for use by product development personnel in providing a structured set of data output for use in a supply chain. In one embodiment, the relational database includes objects having data to describe design requirements of a finished product component such as a formula, material, package, and the like. Text documents may be linked to the relational data structure by reference to provide design requirements not amenable to a structured data format, such as test methods, process

instructions, and the like. The system, method, and computer readable storage medium provide for electronic communication and electronic approval of data subsets while tracking changes and archiving previous versions for subsequent access or reference. System validation and ongoing change control provide necessary support for products in regulated industries.

Planalp does not describe or suggest a method, network, apparatus, or computer program for managing business metrics as recited in Claims 39, 40, 52, and 64, respectively.

For example, Claim 39 recites a method for managing business metrics for a business entity using a server system coupled to a database and at least one client system, the business entity having a plurality of business units, the method including the steps of: "storing in the database a plurality of web pages including a create template web page...prompting a first user to create a customized template for receiving business metrics by displaying at the at least one client system the create template web page, the create template web page prompts the first user to enter data including at least one of a template name, a frequency, a first due date, a contact name, and a template description, the create template web page prompts the first user to define data fields to be displayed on the customized template and a type of business metrics to be entered into the customized template, the customized template is stored within the database for retrieval by a second user of the at least one client system for inputting business metrics...prompting the first user to link a metric target with a first data field displayed on the customized template, wherein the metric target is at least one of a level and a weight...creating at least one hierarchy of entities within the business entity including storing within the database a relationship between each of the business units included within the business entity...linking the customized template to the at least one hierarchy of entities for restricting access to the customized template to only selected business units included within the business entity...linking the data fields included within the customized template to the at least one hierarchy of entities for combining data for a plurality of selected business units included within the business entity...displaying the customized template at the at least one client system to prompt the second user to enter data about business metrics relating a business unit linked to the customized template, the second user enters the data about business metrics into the data fields displayed on the customized template including the first data field having the metric target assigned thereto...storing the data about the business metrics in the database...analyzing the data about

the business metrics stored in the database using the server system for generating reports including the data about the business metrics...and generating, using the server, a plurality of reports including a first report showing the data about the business metrics for each business unit linked to the customized template including each business unit having entered data and the hierarchical relationship between each business unit, and a second report containing desired combinations of the data about the business metrics entered into linked data fields for each business unit linked to the customized template based on the at least one hierarchy of entities.”

Specifically, Planalp does not describe or suggest a method for managing business metrics for a business entity that includes “*creating at least one hierarchy of entities within the business entity including storing within the database a relationship between each of the business units included within the business entity; linking the customized template to the at least one hierarchy of entities* for restricting access to the customized template to only selected business units included within the business entity; and *linking the data fields included within the customized template to the at least one hierarchy of entities* for combining data for a plurality of selected business units included within the business entity”. (Emphasis added.)

Notably, the Office Action asserts that Figures 4A and 4B describe the creating at least one hierarchy of entities step. However, Figures 4A and 4B actually describe relationships among various technical requirements data used in managing product development. Specifically, Planalp describes Figures 4A and 4B as follows:

FIG. 4 provides a more detailed representation of relationships among various technical requirements data used in managing product development according to one embodiment of the present invention. As illustrated in FIG. 4, the technical requirements data may be grouped according to product material data 250, master packaging material data 252, individual packaging material data 254, material data 256, and organization data 258. Unless otherwise specified, each data subgroup is related to an associated data subgroup by a many-to-many relationship among structured data fields.

Product material data 250 includes a formula card 160 which summarizes the product data for a particular product. Formula 260 may have related reaction product information 262 and partial formulations 264. Formula 260 is preferably linked or associated with master and individual raw material specification data 268 and 270. Because this embodiment does not include an individual and master

formula, links from formula 260 are provided to the individual or the master material.

Partial formulation information 264 may be associated with base formula information 270 which specifies one or more master raw materials 268 and/or individual raw materials 272. Base formula 270 may also specify raw material mixtures 274 which have associated master raw materials 276 and individual raw materials 270.

Master raw material data 276 and individual raw material data 272 are linked to material composition data 278 which may include one or more material constituents 280 and associated material functions 282.

Product material data 250 is preferably linked to master packaging material 252 via master formula 260 and master consumer unit 300. Product material data 250 may also be linked to individual packaging material data 254 via master formula 260 and individual consumer unit data 302. In one embodiment, master packaging material information 252 is summarized based on a master unit composition 304 which is broken down into master consumer unit 300, master customer unit 306, and master transport unit 308. The master consumer, customer, and transport units are linked to master packaging material information 310 in addition to corresponding individual consumer unit 302, customer unit 312, and transport unit 314, respectively, within individual packaging material data group 254.

Individual packaging material 254 may be summarized by an individual unit composition represented by block 316. The individual unit composition includes associated consumer unit 302, customer unit 312, and transport unit 314 linked to individual packaging material data 316 which specifies the packing composition 318 and associated packing constituents 320. Individual unit composition 316 may also be associated with one or more approved or activated manufacturing plants 322. Likewise, individual unit composition 316 is preferably associated with an internal finished product code 324 and one or more external product codes 326. Preferably, external product codes 326 have a many-to-one relationship with internal finished product codes 324.

Material product development information 256 may include supplier information 330 associated with packaging material 254 via packing composition data 318 and product material data 250 via material composition data 278. Material group information 332 is preferably related to master packaging material data 252 via master packaging material information 310. In addition, material group 332 is linked to individual packaging material data 254 via individual packing material data 316 and to product material data 250 via individual and master raw material specifications 272 and 276, respectively.

Organization data 258 includes brand information linked by a many-to-one relationship to a product brand 352 which may belong to a brand category 354 associated with a particular business unit 356 and sector 358. In the illustrated

embodiment, each sector 358 may include a number of categories 354, i.e. the category information is linked by a many-to-one relationship to the sector information 358.

Organization data 258 may also include country 360 or country group 362 information in addition to manufacturing plant and region information 364 and 366, respectively. Preferably, organizational information 258 is linked to individual packaging material data 254 via brand information 350 and individual unit composition 316. Organization data 258 may be linked to product material data 250 via brand information 350, country information 360, plant information 364 and master formula card 260. In addition, plant 364 may be associated with product raw material mixtures 274.

Thus, FIG. 4 illustrates one embodiment for managing the technical requirements data of a product with product data, material data, and packaging data stored in a structured relational database. The technical requirements data is grouped into various technical requirement summaries such as the product material data 250 and the master and individual packaging material data 252 and 254, for example. The illustrated links or relationships facilitate using navigation among related technical requirement summaries. The structured data relationships facilitate the recording of changes made to various technical requirements data and allow tracking of associated user identification information while reducing redundant data entry at various stages during product development.

In other words, Figures 4A and 4B of Planalp describe technical requirements data being grouped according to product material data, master packaging material data, individual packaging material data, material data, and organization data. The organization data includes brand information linked to a product brand which may belong to a brand category associated with a particular business unit and sector. *Applicants submit that merely grouping technical data according to organizational data (i.e., linking a product brand or category to a particular business unit within a company) does not describe or teach “creating at least one hierarchy of entities within the business entity including storing within the database a relationship between each of the business units included within the business entity; linking the customized template to the at least one hierarchy of entities for restricting access to the customized template to only selected business units included within the business entity; and linking the data fields included within the customized template to the at least one hierarchy of entities for combining data for a plurality of selected business units included within the business entity”.* (Emphasis added.)

Moreover, Planalp does not describe or suggest generating a plurality of reports including *a first report showing business metrics for each business unit linked to the customized template*

including each business unit having entered data and the hierarchical relationship between each business unit, and a second report containing desired combinations of business metrics entered into linked data fields for each business unit linked to the customized template based on the hierarchy of entities. (Emphasis added.)

The Office Action further asserts that Figures 15 and 17 describe the generating a plurality of reports step. However, Figures 15 and 17 do not describe or suggest generating a plurality of reports including *a first report showing business metrics for each business unit linked to the customized template including each business unit having entered data and the hierarchical relationship between each business unit*. Rather, Figure 15 illustrates representative unstructured data corresponding to the description or specification for artwork accessed by the link illustrated and described with reference to FIG. 14; and Figure 17 illustrates representative master and individual level performance specifications associated with an individual packaging material standard.

Neither Figure 15 or Figure 17 of Planalp describes or suggest generating a report *showing business metrics for each business unit linked to the customized template including each business unit having entered data and the hierarchical relationship between each business unit*. In fact, neither Figure 15 nor Figure 17 even mention showing each business unit having entered data or showing the hierarchical relationship between each business unit. Accordingly, Applicants respectfully submit that independent Claims 39, 40, 52 and 64 are patentable over Planalp.

When the recitations of Claims 2-6, 8-13, 41-45, 47-51, 53-57 and 59-63 are considered in combination with the recitations of Claims 39, 40 and 52, respectively, Applicants submit that dependent Claims 2-6, 8-13, 41-45, 47-51, 53-57 and 59-63 likewise are patentable over Planalp.

For at least the reasons set forth above, it is respectfully requested that the rejection of Claims 2-6, 8-13, 39-45, 47-57, and 59-64 under 35 U.S.C. § 103(a) as being unpatentable over Planalp be withdrawn.

Newly added Claim 65 is a dependent claim depending from independent Claim 39. Claim 65 recites a method further comprising “selectively displaying the hierarchy of entities



linked to the customized template including displaying each of the business units linked to the customized template for entering data, displaying each linked business unit that has entered data as of a selected date, displaying each linked business unit that has not entered data as of the selected date, and displaying a relationship between each of the business units linked to the customized template.” Applicants submit that Planalp does not describe or suggest *selectively displaying the hierarchy of entities linked to the customized template including displaying each of the business units linked to the customized template for entering data, displaying each linked business unit that has entered data as of a selected date, displaying each linked business unit that has not entered data as of the selected date, and displaying a relationship between each of the business units linked to the customized template.*

For at least these reasons, it is respectfully submitted that newly added Claim 65 is also patentable over Planalp.

In view of the foregoing amendments and remarks, all the Claims now active in the application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully Submitted,



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